

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA**

JONATHON A. MOSELEY ¹

Plaintiff,

v.

Civil Action No. 1:20-cv-01248

JUDGE RICHARD E. GARDINER ²

and

ROBERT VAUGHN,

and

SOLUTION PAINTING INC.

Defendants.

**PLAINTIFF'S NOTICE OF
FILING OF SUPERSEDEAS BOND
AND REQUEST FOR REQUIRED INSTRUCTIONS
TO THE CLERK BY THE DISTRICT COURT JUDGE**

COMES NOW THE PLAINTIFF, Jonathon A. Moseley, *pro se*, and hereby respectfully provides notice to this Court, the U.S. Court of Appeals for the Fourth Circuit,

¹ Note that the Court previously ordered that the Plaintiff may file *pro se* through the ECF system. Although also an attorney admitted in the Eastern District of Virginia, someone questioned whether filing *pro se* by ECF required the Court's approval. As a result, approval was sought and granted by the Judge for the Plaintiff to file electronically on his own behalf, *pro se*.

² As to Judge Richard Gardiner, although the original declaratory judgment complaint required a nominal defendant on behalf of the judiciary of Virginia and a showing that the threat of future harm complained of was a realistic prospect from actual events, the current appeal remaining (since Plaintiff could not both serve existing clients and also appeal the previous, though disputed, dismissal of the case, Plaintiff understands that the real parties in interest will be listed in the case on appeal concerning disputed payments of attorneys fees. Thus, Plaintiff believes that on appeal Gardiner will not be listed as party there.

and private parties of the filing of a *supersedeas* bond, as follows:

The Plaintiff hereby files a supersedeas bond on appeal in the amount of \$5,000, thus invoking and respectfully demanding as required pursuant to the rules and statutes a stay on the Court's orders on and after August 16, 2021.

The Plaintiff is simultaneously this day or Tuesday (depending on traffic and hours of financial locations and post office) mailing to the private Defendants money orders in the total amount of \$7,000, together with the posting of the supersedeas bond.

Therefore, the \$7,000 payment plus the \$5,000 supersedeas bond totals \$12,000 against the original \$7,290.00 judgment entered on August 16, 2021.

After Plaintiff's inquiry to the Clerk of this Court about the form of payment, the Clerk of the Court suggested acceptable payment methods but also requested that the Judge issue an order directing the Court as to receiving the bond.

The Plaintiff hereby respectfully demands as provided in the rules and statutes that the Court enter the attached order giving the Clerk the necessary instructions to receive (a) proof of the Plaintiff's payment of \$7,000 already mailed on or before Wednesday, December 1, 2021, and (b) a subsequent \$5,000 payable into the Court's financial system in care of the Clerk of Court's financial services arm, to be received according to the Judge's directions.

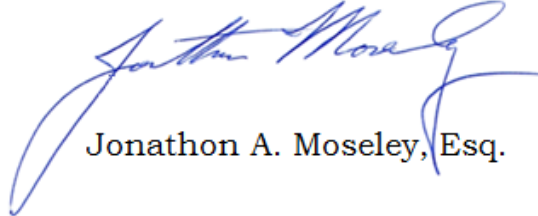
This *supersedeas* bond is pursuant to the rules and statutory requirements separate from any appeal bond or fees that the U.S. Court of Appeals for the Fourth Circuit may also require independently, and is not intended to include such other fees as may apply.

The Plaintiff further hereby respectfully demands as provided in the rules and statutes that the Court's orders are hereby and must be stayed pending appeal, including the Court's

Judgment of November 18, 2021, Amended Judgment of November 19, 2021, and orders of November 18, 2021, November 16, 2021, November 5, 2021, November 3, 2021, October 13, 2021, and August 16, 2021, are hereby stayed pending the outcome on appeal.

November 29, 2021

RESPECTFULLY SUBMITTED,
Plaintiff, *Pro Se*



Jonathon A. Moseley, Esq.

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CERTIFICATE OF SERVICE BY MAILING

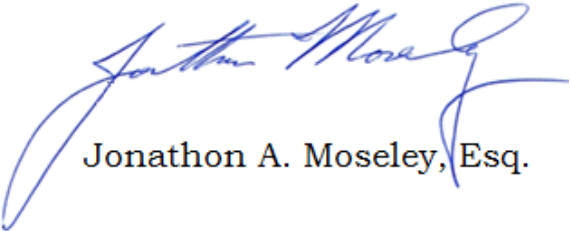
I hereby certify that on this November 29, 2021, a copy of the foregoing pleading has been distributed by the ECF filing system to:

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